

**LAURRELL SMITH,
ADMINISTRATIX OF THE ESTATE
OF JAMES ROWLEY SMITH, III,**

Plaintiff,

v.

**ERIC FRESHER, TERAOWN BENTON,
and C.R. ENGLAND, INC.,**

Defendants.

This matter is before the Court on the parties’ “Joint Motion to Postpone Hearing and Motion to Appear Telephonically” (Doc. 41).

A hearing on certain discovery disputes, including Defendants' Motion for Protective Order (Doc. 35), has been scheduled for March 17, 2020. In the instant motion, the parties advise that mediation is scheduled for March 23, 2020 and request that the March 17 hearing be postponed until after that date. The parties also request that, in the event mediation is not successful, they be permitted to appear at the hearing telephonically in light of current travel warnings and health concerns relating to the Coronavirus pandemic.


The Court finds that postponement of the March 17 hearing is appropriate in light of the upcoming mediation. Should a hearing on the

current discovery disputes remain necessary following mediation, the issue of how such a hearing will be conducted (e.g. in person, telephonically, or otherwise) can be addressed at that time, and the parties may renew their request in that regard as may be appropriate.

IT IS THEREFORE ORDERED THAT:

1. The parties' "Joint Motion to Postpone Hearing and Motion to Appear Telephonically" (Doc. 41) is **GRANTED IN PART**.
2. The Clerk is respectfully **DIRECTED** to cancel the March 17, 2020 hearing.
3. The parties shall follow the procedures for reporting the outcome of mediation as set forth in the Pretrial Order and Case Management Plan (Doc. 30).
4. The parties' request that they be allowed to appear telephonically is **DENIED WITHOUT PREJUDICE** at this time.

Signed: March 12, 2020



W. Carleton Metcalf
United States Magistrate Judge

